

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:18-cv-00246-DLF**

DEMOCRACY FORWARD FOUNDATION v. UNITED  
STATES DEPARTMENT OF COMMERCE  
Assigned to: Judge Dabney L. Friedrich  
Cause: 05:552 Freedom of Information Act

Date Filed: 02/02/2018  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**DEMOCRACY FORWARD  
FOUNDATION**

represented by **Javier M. Guzman**  
DEMOCRACY FORWARD  
FOUNDATION  
P.O. Box 34553  
Washington, DC 20043  
(202) 448-9090  
Email: [jguzman@democracyforward.org](mailto:jguzman@democracyforward.org)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Jeffrey B. Dubner**  
DEMOCRACY FORWARD  
FOUNDATION  
1333 H Street NW  
Washington, DC 20005  
(202) 448-9090  
Email: [jdubner@democracyforward.org](mailto:jdubner@democracyforward.org)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**UNITED STATES DEPARTMENT  
OF COMMERCE**

represented by **Johnny Hillary Walker , III**  
U.S. ATTORNEY'S OFFICE FOR THE  
DISTRICT OF COLUMBIA  
555 Fourth Street, NW  
Washington, DC 20530  
(202) 252-2575  
Fax: (202) 252-2599  
Email: [johnny.walker@usdoj.gov](mailto:johnny.walker@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
02/02/2018	<u>1</u>	COMPLAINT against UNITED STATES DEPARTMENT OF COMMERCE ( Filing fee \$ 400 receipt number 0090-5316408), filed by DEMOCRACY FORWARD FOUNDATION. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons)(Dubner, Jeffrey) (Entered: 02/02/2018)
02/02/2018		Case Assigned to Judge Dabney L. Friedrich. (zmd) (Entered: 02/05/2018)
02/06/2018	<u>2</u>	SUMMONS (3) Issued Electronically as to UNITED STATES DEPARTMENT OF COMMERCE, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent) (zmd) (Entered: 02/06/2018)
02/08/2018	<u>3</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by DEMOCRACY FORWARD FOUNDATION (Guzman, Javier) (Entered: 02/08/2018)

02/08/2018	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 2/8/2018. ( Answer due for ALL FEDERAL DEFENDANTS by 3/10/2018.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 2/8/18., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF COMMERCE served on 2/7/2018 (Attachments: # <u>1</u> Declaration)(Guzman, Javier) (Entered: 02/08/2018)
02/13/2018	<u>5</u>	NOTICE of Appearance by Johnny Hillary Walker, III on behalf of All Defendants (Walker, Johnny) (Entered: 02/13/2018)
03/12/2018	<u>6</u>	ANSWER to <u>1</u> Complaint by UNITED STATES DEPARTMENT OF COMMERCE.(Walker, Johnny) Modified to add link on 3/13/2018 (znmw). (Entered: 03/12/2018)
03/13/2018		MINUTE ORDER requiring the parties to MEET AND CONFER and file a Joint Status Report proposing a schedule for further proceedings. The parties shall file the Joint Status Report no later than April 13, 2018. Signed by Judge Dabney L. Friedrich on March 13, 2018. (JK) (Entered: 03/13/2018)
04/13/2018	<u>7</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF COMMERCE. (Attachments: # <u>1</u> Text of Proposed Order)(Walker, Johnny) (Entered: 04/13/2018)
04/16/2018		MINUTE ORDER adopting the parties' proposal in their <u>7</u> Joint Status Report. Accordingly, it is ORDERED that the parties shall file a further joint status report on or before May 14, 2018. Signed by Judge Dabney L. Friedrich on April 16, 2018. (JK) (Entered: 04/16/2018)
05/14/2018	<u>8</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF COMMERCE. (Walker, Johnny) (Entered: 05/14/2018)
05/30/2018		MINUTE ORDER. Upon consideration of the parties' <u>8</u> Joint Status Report, the parties shall submit another joint status report on or before July 5, 2018. Signed by Judge Dabney L. Friedrich on May 30, 2018. (JK) (Entered: 05/30/2018)
07/05/2018	<u>9</u>	MOTION for Extension of Time to <i>File a Joint Status Report</i> by UNITED STATES DEPARTMENT OF COMMERCE (Attachments: # <u>1</u> Text of Proposed Order)(Walker, Johnny) (Entered: 07/05/2018)
07/05/2018		MINUTE ORDER granting the defendant's <u>9</u> Motion for an Extension of Time. The parties' joint status report shall be filed on or before July 11, 2018 and shall include an explanation why the parties failed to confer in a timely fashion regarding the filing of a joint status report on July 5, 2018. Signed by Judge Dabney L. Friedrich on July 5, 2018. (JK) (Entered: 07/05/2018)
07/06/2018		Set/Reset Deadlines: Status Report due by 7/11/2018. (jl) (Entered: 07/06/2018)
07/11/2018	<u>10</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF COMMERCE. (Attachments: # <u>1</u> Text of Proposed Order)(Walker, Johnny) (Entered: 07/11/2018)
07/13/2018		MINUTE ORDER. Upon consideration of the <u>10</u> Joint Status Report, it is ORDERED that the parties shall submit another status report on or before August 15, 2018. Signed by Judge Dabney L. Friedrich on July 13, 2018. (JK) (Entered: 07/13/2018)
08/15/2018	<u>11</u>	Joint STATUS REPORT by DEMOCRACY FORWARD FOUNDATION. (Dubner, Jeffrey) (Entered: 08/15/2018)
09/10/2018		MINUTE ORDER. Upon consideration of the parties' <u>11</u> Joint Status Report, it is ORDERED that the parties shall submit another joint status report on or before September 19, 2018. Signed by Judge Dabney L. Friedrich on September 10, 2018. (JK) (Entered: 09/10/2018)
09/19/2018	<u>12</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF COMMERCE. (Attachments: # <u>1</u> Text of Proposed Order)(Walker, Johnny) (Entered: 09/19/2018)
10/03/2018		MINUTE ORDER. Upon consideration of the parties' <u>12</u> Joint Status Report, it is ORDERED that the parties shall submit another joint status report on or before October 19, 2018. Signed by Judge Dabney L. Friedrich on October 3, 2018. (JK)

		(Entered: 10/03/2018)
10/19/2018	<u>13</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF COMMERCE. (Attachments: # <u>1</u> Text of Proposed Order)(Walker, Johnny) (Entered: 10/19/2018)
10/19/2018		MINUTE ORDER. Upon consideration of the parties' <u>13</u> Joint Status Report, it is ORDERED that the parties shall file another status report on or before February 19, 2019. Signed by Judge Dabney L. Friedrich on October 19, 2018. (JK) (Entered: 10/19/2018)
02/19/2019	<u>14</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF COMMERCE. (Attachments: # <u>1</u> Text of Proposed Order)(Walker, Johnny) (Entered: 02/19/2019)
02/19/2019		MINUTE ORDER. Upon consideration of the parties' <u>14</u> Joint Status Report, it is ORDERED that the parties shall file another joint status report on or before May 20, 2019. Signed by Judge Dabney L. Friedrich on February 19, 2019. (JK) (Entered: 02/19/2019)
02/19/2019		Set/Reset Deadlines: Status Report due by 5/20/2019. (JK) (Entered: 02/19/2019)
05/18/2019	<u>15</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF COMMERCE. (Attachments: # <u>1</u> Text of Proposed Order)(Walker, Johnny) (Entered: 05/18/2019)
05/21/2019		MINUTE ORDER. Upon consideration of the parties' <u>15</u> Joint Status Report, it is ORDERED that the parties shall file another joint status report on or before July 18, 2019. Signed by Judge Dabney L. Friedrich on May 21, 2019. (lcldf3) (Entered: 05/21/2019)
05/21/2019		Set/Reset Deadlines: Joint Status Report due by 7/18/2019. (zcal) (Entered: 05/21/2019)
07/18/2019	<u>16</u>	Joint STATUS REPORT by DEMOCRACY FORWARD FOUNDATION. (Attachments: # <u>1</u> Text of Proposed Order)(Dubner, Jeffrey) (Entered: 07/18/2019)
07/19/2019		MINUTE ORDER. Upon consideration of the parties' <u>16</u> Joint Status Report, it is ORDERED that the parties shall file another joint status report on or before August 9, 2019. Signed by Judge Dabney L. Friedrich on July 19, 2019. (lcldf3) (Entered: 07/19/2019)
07/19/2019		Set/Reset Deadlines: Joint Status Report due by 8/9/2019. (zcal) (Entered: 07/22/2019)
08/09/2019	<u>17</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF COMMERCE. (Attachments: # <u>1</u> Text of Proposed Order)(Walker, Johnny) (Entered: 08/09/2019)
08/14/2019		MINUTE ORDER. Upon consideration of the parties' <u>17</u> Joint Status Report, it is ORDERED that the parties shall file another joint status report on or before August 16, 2019. So Ordered by Judge Dabney L. Friedrich on August 14, 2019. (lcldf3) (Entered: 08/14/2019)
08/16/2019	<u>18</u>	Joint STATUS REPORT by DEMOCRACY FORWARD FOUNDATION. (Attachments: # <u>1</u> Text of Proposed Order)(Dubner, Jeffrey) (Entered: 08/16/2019)
08/16/2019		MINUTE ORDER granting the parties' proposed briefing schedule set forth in the parties' <u>18</u> Joint Status Report. Accordingly, the defendant shall file a motion for summary judgment on or before September 27, 2019; the plaintiff shall file an opposition to defendant's motion for summary judgment and cross-motion for summary judgment on or before October 11, 2019; the defendant shall file an opposition to plaintiff's cross-motion for summary judgment and reply in support of its own motion for summary judgment on or before October 25, 2019; and the plaintiff shall file a reply in support of its cross-motion for summary judgment on or before November 1, 2019. In addition, on or before August 30, 2019, the defendant shall provide the plaintiff with a copy of its supporting declaration(s). So Ordered by Judge Dabney L. Friedrich on August 16, 2019. (lcldf3) (Entered: 08/16/2019)
08/16/2019		Set/Reset Deadlines: Cross Motions due by 10/11/2019. Response to Cross Motions due by 10/25/2019. Reply to Cross Motions due by 11/1/2019. (zcal) (Entered: 08/19/2019)

08/29/2019	<u>19</u>	Unopposed MOTION to Vacate Order,,, Set Deadlines,,, <i>in Part</i> by UNITED STATES DEPARTMENT OF COMMERCE (Attachments: # <u>1</u> Text of Proposed Order)(Walker, Johnny) (Entered: 08/29/2019)
08/30/2019		MINUTE ORDER granting the <u>19</u> Unopposed Motion to Partially Vacate the Court's August 16, 2019 Minute Order. Accordingly, the Court VACATES in part its August 16, 2019 minute order, to the extent that it requires the defendant to provide the plaintiff with a copy of its supporting declaration(s) on or before August 30, 2019. So Ordered by Judge Dabney L. Friedrich on August 30, 2019. (lcldf3) (Entered: 08/30/2019)
09/26/2019	<u>20</u>	Unopposed MOTION for Extension of Time to by UNITED STATES DEPARTMENT OF COMMERCE (Attachments: # <u>1</u> Text of Proposed Order)(Walker, Johnny) (Entered: 09/26/2019)
10/03/2019		MINUTE ORDER granting the defendant's <u>20</u> Unopposed Motion for an Extension of Time. Accordingly, the defendant shall file a motion for summary judgment on or before October 11, 2019; the plaintiff shall file an opposition to THE defendant's motion for summary judgment and cross-motion for summary judgment on or before October 25, 2019; the defendant shall file an opposition to plaintiff's cross-motion for summary judgment and reply in support of its own motion on or before November 8, 2019; and the plaintiff shall file a reply in support of its cross-motion for summary judgment on or before November 20, 2019. So Ordered by Judge Dabney L. Friedrich on October 3, 2019. (lcldf3) (Entered: 10/03/2019)
10/03/2019		Set/Reset Deadlines: Cross Motions due by 10/25/2019. Response to Cross Motions due by 11/8/2019. Response to Motion for Summary Judgment due by 11/8/2019. Reply to Cross Motions due by 11/20/2019. (zcal) (Entered: 10/04/2019)
10/10/2019	<u>21</u>	Unopposed MOTION for Extension of Time to <i>Move for Summary Judgment</i> by UNITED STATES DEPARTMENT OF COMMERCE (Attachments: # <u>1</u> Text of Proposed Order)(Walker, Johnny) (Entered: 10/10/2019)
10/10/2019		MINUTE ORDER granting the defendant's <u>21</u> Unopposed Motion for an Extension of Time. Accordingly, the defendant shall file a motion for summary judgment on or before October 16, 2019; the plaintiff shall file an opposition the defendant's motion for summary judgment and cross-motion for summary judgment on or before October 30, 2019; the defendant shall file an opposition to plaintiff's cross-motion for summary judgment and reply in support of its own motion on or before November 13, 2019; and the plaintiff shall file a reply in support of its cross-motion for summary judgment on or before November 25, 2019. So Ordered by Judge Dabney L. Friedrich on October 10, 2019. (lcldf3) Modified on 10/11/2019 to insert lc docketing information (zcal). (Entered: 10/10/2019)
10/10/2019		Set/Reset Deadlines: Cross Motions due by 10/30/2019. Response to Cross Motions due by 11/13/2019. Reply to Cross Motions due by 11/25/2019. (zcal) (Entered: 10/11/2019)
10/16/2019	<u>22</u>	Unopposed MOTION for Extension of Time to File <i>Motion for Summary Judgment</i> by UNITED STATES DEPARTMENT OF COMMERCE (Attachments: # <u>1</u> Text of Proposed Order)(Walker, Johnny) (Entered: 10/16/2019)
10/17/2019		MINUTE ORDER granting the defendant's <u>22</u> Unopposed Motion for an Extension of Time. Accordingly, the defendant shall file a motion for summary judgment on or before October 23, 2019; the plaintiff shall file an opposition the defendant's motion for summary judgment and cross-motion for summary judgment on or before November 6, 2019; the defendant shall file an opposition to plaintiff's cross-motion for summary judgment and reply in support of its own motion on or before November 20, 2019; and the plaintiff shall file a reply in support of its cross-motion for summary judgment on or before December 4, 2019. So Ordered by Judge Dabney L. Friedrich on October 17, 2019. (lcldf3) (Entered: 10/17/2019)
10/23/2019	<u>23</u>	MOTION for Summary Judgment by UNITED STATES DEPARTMENT OF COMMERCE (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Statement of Facts, # <u>3</u> Declaration of Michael Cannon (with exhibits), # <u>4</u> Text of Proposed Order)(Walker, Johnny) (Entered: 10/23/2019)